

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JULIAN MARTIN CARDENAS,

Petitioner,

v.

SOLANO COUNTY SUPERIOR COURT  
JUDGE,

Respondent.

No. 2:22-cv-0922 DB P

ORDER AND FINDINGS AND  
RECOMMENDATIONS

Petitioner, a pretrial detainee at Solano County Jail proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. Petitioner has not paid the filing fee for this application or submit an in forma pauperis application. On June 7, 2022, the court ordered petitioner to file a motion to proceed in forma pauperis or to pay the filing fee for this action. (ECF No. 5 at 1.) Petitioner was given thirty days leave to do so. (Id.) Petitioner was warned that failure to abide by the court's order would result in a recommendation that this action be dismissed. (Id.)


More than thirty days have passed and petitioner has not paid the filing fee in this action, submitted an application to proceed in forma pauperis, requested an extension of time, or otherwise responded to the court's orders. Accordingly, it will be recommended that this action be dismissed for failure to comply with court orders and failure to prosecute.

For the reasons state above, the Clerk of the Court is ORDERED to randomly assign a district judge to this action.

IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b).

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty-one days after being served with these findings and recommendations, petitioner may file written objections with the court and serve a copy on all parties. Such a document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” Petitioner is advised that failure to file objections within the specified time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

Dated: September 12, 2022

  
DEBORAH BARNES  
UNITED STATES MAGISTRATE JUDGE

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